



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Pat Quinn, Governor
Marc Miller, Director

July 14, 2011

Ms. Alicia Law
McHenry County Dept of Planning and Development
2200 N. Seminary Avenue
Woodstock, IL 60098

RE: Pond Dredging Project - Woodstock
Endangered Species Consultation Program
Natural Heritage Database Review # 1113241
County: McHenry

Dear Ms. Law:

The Department received this proposed action, located in Township 45 North, Range 6 East, Sections 1, 2, and 11 from McConnell Environmental, for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The proposed action involves dredging a pond and removing cattails, using a long reach backhoe to remove debris along the shoreline. The pond is located east of the intersection of McGuire Road and Alden Road. The proposed work entails dredging half of the pond during August of 2011 and the other half next summer (2012). After each phase, the shoreline will be reseeded with native, non-invasive plant seeds and monitoring and maintenance will follow. The project's outline is within the boundary drawn for 2005 records for the State-listed threatened **Least Bittern**, *Ixobrychus exilis*, and the State-listed endangered **Yellow-Headed Blackbird**, *Xanthocephalus xanthocephalus*.

After reviewing the information, the Department has determined that adverse impacts to both listed birds, due to their proximity to the proposed action, is very likely. To minimize potential impacts to the area's protected resources, the Department recommends that the following measures be implemented by the landowner (and applicant) and incorporated into the County's project authorization.

1. The Department recommends that the landowner contact the Department's Region 2 District Heritage Biologist, Brad Semel (815/675-2386, ext. 317) to assist with management of the site and to ensure that the water control structure placed in the wetland by the U.S. Fish and Wildlife Service is properly working.
2. Biological surveys for both Least Bittern and Yellow-headed Blackbird should be done before any work on the pond is initiated. Survey reports should be immediately sent to the Department for review. Additional recommendations may be made depending on the results of survey efforts. If either species inhabits (i.e., evidence of nesting within) the pond, then avoidance measures and/or Incidental Take Authorization will be necessary. On-site personnel should be educated

about what these species look like and instructed on whom to contact if any are encountered (IDNR District Heritage Biologist and McHenry County Conservation District).

3. Although not displayed on the EcoCAT report, there are several records of the State-listed endangered Blanding's Turtle in the vicinity west and southwest of this parcel, just outside the buffer set up within EcoCAT. The Department recommends surveying the wetland, and wetland buffer, for Blanding's Turtles since appropriate habitat exists and because this species can travel several miles between wetland and upland habitats. On-site personnel should also be educated about what this species looks like and instructed on whom to contact if any are encountered (IDNR District Heritage Biologist and McHenry County Conservation District).
4. As always, persons performing biological surveys for wildlife must possess Scientific Collector's Permits issued pursuant to Part 520 of the Department's Administrative Rules; when such survey work targets a listed species, endangered species collection permits pursuant to Part 1070 of the Administrative Rules should also be sought. Contact Joe Kath, Endangered Species Manager, (217)785-8764, for permit information.
5. If non-native, invasive plant species are prevalent within this wetland, development of an invasive species management plan should be considered to improve habitat conditions for the wetland and wildlife that may use it.

Consultation on the part of the Department is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), the County must notify the Department of its decision regarding these recommendations, whether they will:

- Allow the action to proceed as originally proposed;
- Require the action to be modified per Department recommendations (please specify measures if not all will be required); or
- Forgo the action.

This consultation is valid for two years unless new information becomes available that was not previously considered, the proposed action is modified, or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Cordially,



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enclosure

cc: Brad Semel, IDNR/Region II/Restoration Ecology
Ray Eisbrener, IDNR/Region II/Wildlife
Elizabeth Kessler, McHenry County Conservation District
Coilin McConnell, McConnell Environmental
Cindy Skrukrud, McHenry County Defenders/1075.70
Lisa Haderlein, Land Conservancy of McHenry County/1075.70